

Amendment and Response

Applicant: Jeffrey D. Meyer et al.

Serial No.: 09/560,509

Filed: April 27, 2000

Docket No.: 10002145-1

Title: INTERNET USAGE DATA RECORDING SYSTEM AND METHOD WITH CONFIGURABLE
DATA COLLECTOR SYSTEM

REMARKS

This Amendment is responsive to the Non-Final Office Action mailed May 30, 2003. Claims 1-24 were rejected and claim 18 has been objected to. With this Response, claims 1, 4, 5, 10, 14, 16-18, and 20 have been amended, claims 25-31 have been added and claims 3, 15 and 19 have been cancelled. Claims 1, 2, 4-14, 16-18 and 20-31 remain pending in the application and are presented for reconsideration and allowance.

Objection to the Drawings

The drawings are objected to "because page 17, line 13 and line 16 "usage application" should be 159 not 158. A proposed drawing correction or corrected drawings are required..." In lieu of changing the drawing, Applicant has corrected the specification, as indicated above. Withdrawal of the objection to the drawings is respectfully requested.

Claim Objections

Claim 18 was objected to based on the informality of an incorrect spelling of the word "volatile." With this Response, Applicant has amended claim 18 to correct the spelling of the word "volatile."

Claim Rejections under 35 U.S.C. § 102

Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,405,251 Bullard et al. (hereinafter "Bullard"). Applicant submits that the Bullard reference fails to disclose the invention of independent claim 1.

Independent claim 1 recites a network usage recording system. The system comprises a collector including an encapsulator for reading a plurality of network data records from a network data source and converting the network data records to a plurality of normalized metered events. An aggregator is included for processing the normalized metered events to create aggregated normalized metered events. A data storage system is provided, wherein the aggregator periodically stores the aggregated normalized metered events in the data storage system. A configuration server is in communication with the encapsulator, the aggregator

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and the data storage system, wherein the configuration server stores configuration data for the encapsulator, the aggregator, and the data storage system that determines whether the collector operates as a network data collector or a correlator collector.

Bullard discloses a system for enhancement of network accounting records. The system includes a data collector layer 18 that is a distributed layer of individual data collectors. The data collectors collect raw accounting information and convert data into normalized records referred to as network accounting records (NARs). Each of the data collectors forwards network accounting records to a flow aggregation process, a central collection point for all network accounting records produced from various data collectors in the data collection layer 18. The flow aggregation processor 60 aggregates and/or enhances record data across the network devices to produce summary NARs' (column 4, lines 1-26), (column 18, lines 39-49). Individual data collectors can aggregate accounting records from individual data sources (column 4, lines 24, 25).

Bullard fails to disclose a collector having a separate **encapsulator, a aggregator and data storage** system components. In contrast, Bullard recites individual data collectors that collect raw accounting information and convert data into normalized records, and forward the normalized records to a central flow aggregation process, not part of the individual data collectors. Bullard does state that individual data collectors can aggregate accounting records from individual data sources. Bullard further fails to recite a **configuration server in communication with the encapsulator, the aggregator and the data storage system, wherein the configuration server stores configuration data for the encapsulator, the aggregator, and the data storage system that determines whether the collector operates as a network data collector or a correlator collector.** Bullard does not teach or suggest these claimed recitations. Since the collector includes separate encapsulator, aggregator and data storage system components, the configuration server stores configuration data such that the collector can operate as a network data collector or a correlator collector. This allows the same architecture to be used for each collector, regardless of whether it operates as a data collector or a correlator collector. As referred to by the Examiner, Bullard merely recites a service management loop, including a template that is fed into a service provision application that produces a configuration file sent out to the network specifying a

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level of service for the network. (Column 32, lines 28-65). Bullard does not teach or suggest these claimed recitations. The network usage recording system of independent claim 1 is not disclosed in Bullard. Applicant respectfully submits that the above rejection under 35 U.S.C. § 102(e) should be withdrawn.

Dependent claims 2 and 4-13 depend directly or indirectly upon independent claim 1. Accordingly, dependent claims 2, 4-13 are also allowable over the art of record.

Bullard also does not teach or suggest the claimed recitations in independent claim 14. Claim 14 recites a network usage recording system. The system comprises a collector system including a collector shell, a query manager, an encapsulator, an aggregator, and a data storage system. A configuration server is in communication with the encapsulator, the aggregator and the data storage system. The configuration server stores configuration data for the collector system that determines whether the collector system operates as a network data collector or a correlator collector. Bullard does not teach or suggest these claim recitations. Applicant respectfully submits that the above rejection under 35 U.S.C. § 102(e) should be withdrawn.

Dependent claim 16 depends directly upon independent claim 14. Accordingly, this dependent claim is allowable over the art of record.

Bullard also does not teach or suggest the claimed recitations in independent claim 17. Claim 17 recites a method for recording network usage. The method comprises defining a collector including an encapsulator, an aggregator and a data storage system. The encapsulator is operated to read a plurality of network data records from a network data source and convert the network data records to a plurality of normalized metered events. The plurality of normalized metered events are aggregated to create a plurality of aggregated normalized metered events. The aggregated normalized metered events are stored in the data storage system at periodic intervals. A configuration server is defined, in communication with the encapsulator, the aggregator and the data storage system. Configuration data is stored for the encapsulator, the aggregator and the data storage system in the configuration server, where the configuration data determines whether the collector operates as a network data collector or a correlator collector. Bullard does not teach or suggest these claimed

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recitations. Applicants respectfully submit that the above rejection under 35 U.S.C. § 102(e) should be withdrawn.

Dependent claims 20-23 depend directly or indirectly upon independent claim 17. Accordingly, these dependent claims are allowable over the art of record.

Bullard also does not teach or suggest the claimed recitations in independent claim 24. Claim 24 recites a computer readable medium containing instructions for controlling a computer system to perform a method for recording network usage. The computer readable medium comprises logic for defining a collector including an encapsulator, an aggregator and a data storage system. Logic is provided for operating the encapsulator to read a plurality of network data records from a network data source and convert the network data records to a plurality of normalized metered events. Logic is provided for aggregating the plurality of normalized metered events to create a plurality of aggregated normalized metered events. Logic is provided for storing the aggregated normalized metered events in the data storage system at periodic intervals. Logic is also provided for defining a configuration server in communication with the encapsulator, the aggregator and the data storage system, and storing configuration data for the encapsulator, the aggregator and the data storage system in the configuration server where the configuration data determines whether the collector operates as a network data collector or a correlator collector. Bullard does not teach or suggest these claim recitations. Applicant respectfully submits that the above rejection under 35 U.S.C. § 102(e) should be withdrawn.

Added Claims

With this Response, claims 25-31 have been added. Claims 25-31 are directed to a network usage recording system. No new matter has been added. Applicant believes added claims 25-31 to be allowable over the art of record.

CONCLUSION

In light of the above, Applicant believes independent claims 1, 14, 17 and 24 and the claims depending therefrom, are in condition for allowance. Allowance of these claims is respectfully requested.

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 29 day of August, 2003.

By Steven E. Dicke
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